

Special Town Meeting - March 7, 2011

TOWN OF SAUGUS

Essex, ss.

To the Constable of the Town of Saugus

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Saugus, qualified to vote in Town affairs for the Special Town Meeting at the Saugus Town Hall located at 298 Central Street on March 7, 2011 at 7:30 PM to hear and act on the following articles: viz;

Article 1. To hear and act on reports of Committees.

Article 2. To see if the Town will vote to transfer available funds (\$12,000.00) from the FY 2011 Non Contributory Pension line item account into the FY 2011 Legal Litigation line item account, or to take any other action relative thereto. (Town Manager)

Article 3. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to raise and appropriate by borrowing or otherwise a sum of money for the purpose of funding the Saugus High School ADA Compliance project, or to take any other action relative thereto. (Town Manager)

Article 4. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to raise and appropriate by borrowing or otherwise a sum of money for the purpose of funding the Saugus High School Unit Vents repair/replacement project, or to take any other action relative thereto. (Town Manager)

Article 5. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to raise and appropriate by borrowing or otherwise a sum of money for the purpose of funding the replacement of the Essex Street Fire Station Heating System, or to take any other action relative thereto. (Town Manager)

Article 6. To see if the Town will vote to transfer the care, custody and control of 26.6 acres of Town of Saugus Property located on Assessors Plan 1038, formerly known as Curley Property, for the use by Cemetery Commission for a Cemetery for Saugus Residents and remaining acreage to Town of Saugus School Department. The 26.6 acres would be the parcel of property located at North and West portion of the ~ 63.3 acres of property. (Saugus Cemetery Commission)

Article 7. To see if the Town will vote, pursuant to Massachusetts General Law c. 82 to accept Alberta Drive (259.66 linear feet) as shown on a plan of land entitled “Definitive Subdivision Plan of Land David Drive aka Alberta Drive” Saugus, Massachusetts, prepared for Alberta R. Davie, prepared by Otte & Dwyer, Inc. and Rice Engineering Services, dated July 27, 1987 and recorded in Plan Book 237 Plan 75. (Town Manager)

Article 8. To see if the Town will vote, pursuant to Massachusetts General Law c.82 to accept Lindsay Terrace (732.18 linear feet) and Scott Drive (501.98 linear feet) as shown on a plan of land entitled “Subdivision Plan of Breakheart Acres” Saugus, Massachusetts, prepared for Breakheart Development Trust, prepared by Bradford & Weed – Civil Engineers, dated April 30, 1963 recorded in Plan Book 100 Plan 65. (Town Manager)

Article 9. To see if the Town will vote, pursuant to Massachusetts General Law c.82 to accept Randell Road (821.35 linear feet) and Noel Drive (721.55 linear feet) as shown on a plan of land entitled “Definitive Plan of Parkway Farms” Saugus, Massachusetts, prepared for Breakheart Development Trust, prepared by Hayes Engineering, Inc., dated July 7, 1976 and recorded in Plan Book 142 Plan 17. (Town Manager)

Article 10. To see if the Town will vote, pursuant to Massachusetts General Law c.82 to accept Patel Drive (428 linear feet) as shown on a plan of land entitled “Subdivision Plan of Land in Saugus” Saugus, Massachusetts, prepared by Mistry Associates, Incorporated, Surveyors, dated September 26, 1989 and recorded Land Court Plan 31730 C. (Town Manager)

Article 11. To see if the Town will vote to amend the Town of Saugus By-Law, 901.00:

901.00 Saugus Student Government Day

Whereas the Massachusetts Education Reform Act of 1993 developed a Common Core of Learning for all public school students.

Whereas Chapter 4 of the Common Chapters of the Common Core of

Learning established under ERA encourages a dynamic, relevant curriculum, which includes partnerships with community resources as a natural extension of what has been learned in the classroom.

And whereas American Government is taught in the 9th grade in the Saugus Public Schools:

The Chairman of the board of selectmen is hereby authorized to pro-claim the first Tuesday in May as Saugus Student Government Day. Said proclamation will provide for the observation of said day in the Town of Saugus and recommend that exercises appropriate to such day be observed in the Saugus Public Schools.

The Selectmen, School Committee, Housing Authority, NE Vocational Representative, Town Meeting as well as other appointed positions may be paired with a student counterpart for that day in order to observe the process of local town government in the executive, legislative, and administrative operations of the town.

There shall be a town meeting of 50 students elected by high school students from "precincts" corresponding as nearly as possible to the precincts of the town. All other elected town officials shall be selected at large" by the high school student body. Upon election, these students shall "select" all other positions from the at large student body who will "apply" for such positions.

Any person or civic, charitable or organization may make contributions or help sponsor such an event. **(Annual Town Meeting held on May 6, 1996, Article 36)**

And replace as follows:

901.00 Saugus Student Government Day

Whereas the mission of the Saugus Public Schools is to educate, challenge, and empower students to be life-long learners and to achieve excellence with integrity in the 21st century as productive, caring, and contributing members of society.

Whereas Saugus High School is a comprehensive learning institution whose mission is to prepare students to be responsible, thoughtful and effective global citizens.

Whereas Saugus High School is committed to providing a learning environment that encourages students to become actively involved in the learning process and fosters risk-taking and creativity in problem solving.

Whereas Saugus High School's ultimate purpose is to produce students who have the knowledge base and intellectual curiosity to become productive, ethical, and informed citizens in the 21st century.

And whereas Saugus High School expects students to demonstrate an understanding of civic responsibility, communicate ideas and information with clarity and understanding of audience, and to be able to analyze and evaluate information.

Therefore The Chairman of the Board of Selectmen, after consultation with the Superintendent of schools, is hereby authorized to proclaim a date in April or May as Saugus Student Government Day. Said proclamation will allow for the planning and implementation of events, through a collaborative process inclusive of school and town officials or their designees that will simulate, as close as practicable, the legislative, executive and administrative functions of Saugus Town Government.

Any person or civic or charitable organization may make contributions or help sponsor such an event.

(Saugus School Committee)

Article 12. To see if the Town will vote to petition the Legislature to enact special legislation to amend Chapter 17 of the Acts of 1947 as follows:

(Add)

Article 2.

SECTION 4 A. "School Committee Vacancy"

In the event a school committee member duly elected by the voters shall fail to serve out his/her term of office, the town clerk shall declare said office vacant and declare the person with the next highest number of votes in said biennial election as having been elected to said vacant office and such person shall be immediately thereupon sworn into said office to fill the unexpired term of said vacant office.

In the event there is no person who obtained a minimum of one thousand votes for school committee in said biennial election and a vacancy in the office of school committee shall have occurred, the town clerk shall declare said office vacant.

SECTION 4 B.

Once the town clerk declares a vacancy on the school committee, the remaining members of the school committee shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next town election. Nothing contained herein shall be construed to effect section forty-eight.

(Town Meeting Charter Committee)

Article 13. To see if the Town will vote to re-affirm the votes of Articles 23, 24, 26, 27, and 28 of the 2010 Annual Town Meeting, to petition the Legislature to enact special legislation to amend Chapter 17 of the Acts of 1947 as follows:

(Add):

ARTICLE 2

SECTION 3. "Powers of the Selectmen".

The selectmen shall be the chief policy makers of the Town.

(Change):

SECTION 3. (TO) SECTION 3A.

(Change):

SECTION 3A. (TO) SECTION 3B.

(Add):

ARTICLE 3

SECTION 1. "Capital Improvement Plan"

The Board of Selectmen and the Town Manager shall be responsible for preparing a five (5) year capital improvement plan for the Town of Saugus.

(a). The Board of Selectmen and the Town Manager shall receive input from the School Committee.

(b). The plan must be updated every year.

(c). Cost estimates, methods of financing and a recommended time frame must be included in the plan.

(Add):

ARTICLE 2

SECTION 1A “Candidacy Limit on Town-wide Elective Office”.

No person shall run for more than one (1) major town-wide elective office: Selectmen, School Committee, and Housing Authority. A candidate for any town-wide office may also run for a seat on Town Meeting within his precinct.

(Add):

ARTICLE 2

SECTION 13 (h) (a) "Leasing of Town Property".

All leases, rentals or other proposed commitments to authorize the use of any town property for a period of more than (180) days must be approved by, three-fifths vote, of the Board of Selectmen at a regularly scheduled public meeting. The Board must be provided the final documents at least (7) days before the scheduled public meeting. Failure of the Selectmen to approve any such documents within (21) days shall be deemed to be a rejection by the Selectmen.

The Town Manager may not enter into negotiations to lease, rent or commit to authorize the use of any town property without first obtaining a, three-fifths vote, of the Board of Selectmen, at a regularly scheduled public meeting.

(Add):

ARTICLE 2

SECTION 35 A. "School Budget".

On or before the 1st day of February the School Committee shall submit to the Board of Selectmen and the Town Manager a detailed budget for the ensuing fiscal year.

(Town Meeting Charter Committee)